

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 13
)	
SABRINA VICTORIA CARR,)	CASE NO. 13-72788-CRM
)	
Debtor.)	
- - - - -		
)	
SABRINA VICTORIA CARR,)	
)	
Movant,)	
)	
v.)	CONTESTED MATTER
)	
CAPITAL RECOVERY GROUP,)	
LLC a/k/a FREEDOM ROAD)	
FINANCIAL,)	
)	
Respondent.)	

NOTICE OF HEARING

Sabrina Victoria Carr filed an Objection to Proof of Claim seeking disallowance of claim. Hearing will be held on the Objection in Courtroom 1203, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia, at 10:00 A.M. on April 1, 2014.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least three business days before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Spring Street, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: February 24, 2014

_____/s/_____

Melissa A. Herman
Georgia Bar No. 348378
445 Creekstone Ridge
Woodstock, GA 30188
(678) 925-3510
facsimile (770) 635-0754
hermanrusso@gmail.com
Attorney for Debtor

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OBJECTION TO PROOF OF CLAIM

COMES NOW Debtor, Sabrina Victoria Carr, by and through counsel, and files this Objection to Proof of Claim Number Two filed by Capital Recovery Group, (the “Respondent”) in the amount of \$9,638.50 by showing this Honorable Court the following:

1.

Debtor filed for protection under Chapter 13 of the Bankruptcy Code on October 18, 2013, the § 341 Meeting of Creditors took place on November 25, 2013. Confirmation hearing is set for February 25, 2014.

2.

Respondent filed a proof of claim on October 29, 2013 for \$9,638.50 for monies loaned to purchase a 2007 Ducati motorcycle.

3.

Respondent's Proof of Claim number 2 should be disallowed because Debtor has surrendered her interest in the 2007 Ducati Motorcycle and the claim should be disallowed until it is amended to show deficiency.

WHEREFORE, Debtor prays:

- (a) That this Objection to Proof of Claim be filed, read, and considered;
- (b) That this Honorable Court sustain this Objection to Proof of Claim, disallowing Respondent's claim until it is amended to show the unsecured deficiency; and;
- (c) That this Honorable Court grant such other and further relief as it may deem just and proper.

Respectfully submitted,

/s/
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Woodstock, GA 30188
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Certificate of Service

I, Melissa A. Herman, certify that I am over the age of 18 and that on February 24, 2014, I served a copy of the foregoing Notice of Hearing and Objection by first class U. S. Mail, with adequate postage affixed, on the following persons or entities at the addresses stated:

Sabrina Victoria Carr
10 Regency Rd.
Alpharetta, GA 30022

Capital Recovery Group
P.O. Box 29426
Phoenix, AZ 85038
Attn: Nichlas P. Spallas

Nancy J. Whaley, 13 Trustee
Suite 120
303 Peachtree Center Avenue
Atlanta, GA 30303

Freedom Road Financial
10605 Double R Blvd
Reno, NV 89521

(Trustee consents to receive via CM/ECF)

Dated: February 24, 2014

_____/s/_____

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facsimile (770) 635-0754
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Attorney for Debtor